

SEP 28 2006

Application No: 10/753,321
Attorney's Docket No: ALC 3111**REMARKS/ARGUMENTS**

Claims 23-32 are pending in this application. Claims 23 and 29 are independent. Claims 1-22 are cancelled without prejudice to, or disclaimer of, the subject matter recited therein. New claims 23-32 are added.

Entry of the amendments is proper under 37 CFR 1.116 since the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issues requiring further search and/or consideration (because the amendments amplify issues previously discussed throughout the prosecution); (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. Entry of the amendments is thus respectfully requested.

In section 5 on pages 2-3, the Office Action rejects claims 11-22 under 35 U.S.C. §101 as being allegedly directed to non-statutory subject matter. In section 7 on pages 3- 6, the Office Action rejects claims 1-22 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Publication No. 2003/0174162 to Wu in view of U.S. Patent No. 6,862,698 to Shyu. These rejections are respectfully traversed.

Claims 1-22 are cancelled without prejudice to, or disclaimer of, the subject matter therein. New claims 23-32 are added.

It is respectfully submitted that new claims 23-32 recite statutory subject matter. In particular, a method of alarm management in a communication network has a practical application in the technological arts.

Application No: 10/753,321
Attorney's Docket No: ALC 3111

Similarly, it is respectfully submitted that new claims 23-32 are patentable over the combination of Wu and Shyu. For example, claims 23-28 and 30 recite, "an alarm token encapsulated between a corresponding pair of extensible markup language tags." The Office Action correctly concedes that Wu fails to disclose, teach, or suggest the above-quoted subject matter from the new claims. See Office Action page 4, lines 8-9.

In order to overcome the admitted deficiency in Wu, the Office Action relies on Shyu. However, the Office Action alleges that Shyu, "provides XML files with data encapsulated within XML tags" (emphasis added). The Office Action fails to explain how data allegedly encapsulated within XML tags corresponds to an alarm encapsulated between XML tags according to the combinations recited in the rejected claims.

Claims 29-32 recite, "collecting said compliant alarm reports from all network elements of said communication network into a combined alarm report log file; and parsing said common combined alarm report log file." It is respectfully submitted that Wu and Shyu do not disclose, teach or suggest the above-quoted subject matter from claims 29-32.

For at least the foregoing reasons, it is respectfully requested that the rejections of claims 1-22 be withdrawn and new claims 23-32 be allowed.

CONCLUSION

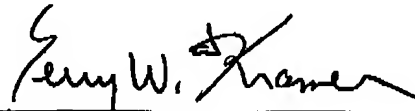
While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully

Application No: 10/753,321
Attorney's Docket No: ALC 3111

requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection with the filing of this paper, please charge our Deposit Account Number 50-0578 and please credit any excess fees to such Deposit Account.

Respectfully submitted,
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